

PROPOSED AMENDMENT

SENATE AMENDMENTS TO S.B. 1047

(Reference to printed bill)

Strike everything after the enacting clause and insert:

“Section 1. Section 15-816.01, Arizona Revised Statutes, is amended to read:

15-816.01. Enrollment policies

A. School district governing boards shall establish policies and shall implement an open enrollment policy without charging tuition. Tuition may be charged to nonresident pupils only if the tuition is authorized under section 15-764, subsection C, section 15-797, subsection C, section 15-823, subsection A, section 15-824, subsection A or section 15-825 or if two school districts have entered into a voluntary agreement for the payment of tuition for certain pupils. These policies shall include admission criteria, application procedures and transportation provisions. A copy of the district policies for open enrollment shall be filed with the department of education.

B. The governing board of the district educating the pupil may provide transportation limited to no more than ~~twenty~~ FORTY miles TRAVELED each ~~way to and from the school of attendance or to and from a pickup point on a regular transportation route or for the total miles traveled each day to an adjacent district for eligible nonresident pupils who meet the economic eligibility requirements established under the national school lunch and child nutrition acts (42 United States Code sections 1751 through 1785) for free or reduced price lunches~~ DAY FOR ELIGIBLE NONRESIDENT PUPILS. IF THE SCHOOL DISTRICT PROVIDES TRANSPORTATION PURSUANT TO SECTION 15-923, SUBSECTION E, THE DISTRICT SHALL NOT CLAIM ALLOWABLE DAILY ROUTE MILEAGE AND SHALL INSTEAD BE REIMBURSED PURSUANT TO SECTION 15-945, SUBSECTION A, PARAGRAPH 7. A PARENT SHALL BE REIMBURSED ONLY FOR THE ACTUAL MILES TRAVELED IN WHICH THE PUPIL IS IN THE VEHICLE, OR FORTY MILES, WHICHEVER IS LESS.

C. The governing board of the district educating the pupil shall provide transportation ~~limited to no more than twenty miles each way to and from the school of attendance or to and from a pickup point on a regular~~

1 ~~transportation route or~~ for the total miles traveled each day ~~to an adjacent~~
2 ~~district~~ for nonresident pupils with disabilities whose individualized
3 education program specifies that transportation is necessary for fulfillment
4 of the program. IF THE SCHOOL DISTRICT PROVIDES TRANSPORTATION PURSUANT TO
5 SECTION 15-923, SUBSECTION E, THE DISTRICT SHALL NOT CLAIM ALLOWABLE DAILY
6 ROUTE MILEAGE AND SHALL INSTEAD BE REIMBURSED PURSUANT TO SECTION 15-945,
7 SUBSECTION A, PARAGRAPH 7. A PARENT SHALL BE REIMBURSED ONLY FOR THE ACTUAL
8 MILES TRAVELED IN WHICH THE PUPIL IS IN THE VEHICLE.

9 D. THE GOVERNING BOARD OF THE DISTRICT EDUCATING THE PUPIL MAY PROVIDE
10 TRANSPORTATION FOR THE TOTAL MILES TRAVELED EACH DAY FOR ELIGIBLE NONRESIDENT
11 PUPILS WHO MEET THE ECONOMIC ELIGIBILITY REQUIREMENTS ESTABLISHED UNDER THE
12 NATIONAL SCHOOL LUNCH AND CHILD NUTRITION ACTS (42 UNITED STATES CODE
13 SECTIONS 1751 THROUGH 1785) FOR FREE OR REDUCED PRICE LUNCHES. IF THE SCHOOL
14 DISTRICT PROVIDES TRANSPORTATION PURSUANT TO SECTION 15-923, SUBSECTION E,
15 THE DISTRICT SHALL NOT CLAIM ALLOWABLE DAILY ROUTE MILEAGE AND SHALL INSTEAD
16 BE REIMBURSED PURSUANT TO SECTION 15-945, SUBSECTION A, PARAGRAPH 7. A PARENT
17 SHALL BE REIMBURSED ONLY FOR THE ACTUAL MILES TRAVELED IN WHICH THE PUPIL IS
18 IN THE VEHICLE, OR FORTY MILES, WHICHEVER IS LESS.

19 Sec. 2. Section 15-901, Arizona Revised Statutes, is amended to read:

20 15-901. Definitions

21 A. In this title, unless the context otherwise requires:

22 1. "Average daily attendance" or "ADA" means actual average daily
23 attendance through the first one hundred days or two hundred days in session,
24 as applicable.

25 2. "Average daily membership" means the total enrollment of fractional
26 students and full-time students, minus withdrawals, of each school day
27 through the first one hundred days or two hundred days in session, as
28 applicable, for the current year. Withdrawals include students formally
29 withdrawn from schools and students absent for ten consecutive school days,
30 except for excused absences as identified by the department of education.
31 For computation purposes, the effective date of withdrawal shall be
32 retroactive to the last day of actual attendance of the student.

1 (a) "Fractional student" means:

2 (i) For common schools, until fiscal year 2001-2002, a preschool child
3 who is enrolled in a program for preschool children with disabilities of at
4 least three hundred sixty minutes each week or a kindergarten student at
5 least five years of age prior to January 1 of the school year and enrolled in
6 a school kindergarten program that meets at least three hundred forty-six
7 instructional hours during the minimum number of days required in a school
8 year as provided in section 15-341. In fiscal year 2001-2002, the
9 kindergarten program shall meet at least three hundred forty-eight hours. In
10 fiscal year 2002-2003, the kindergarten program shall meet at least three
11 hundred fifty hours. In fiscal year 2003-2004, the kindergarten program
12 shall meet at least three hundred fifty-two hours. In fiscal year 2004-2005,
13 the kindergarten program shall meet at least three hundred fifty-four hours.
14 In fiscal year 2005-2006 and each fiscal year thereafter, the kindergarten
15 program shall meet at least three hundred fifty-six hours. Lunch periods and
16 recess periods may not be included as part of the instructional hours unless
17 the child's individualized education program requires instruction during
18 those periods and the specific reasons for such instruction are fully
19 documented. In computing the average daily membership, preschool children
20 with disabilities and kindergarten students shall be counted as one-half of a
21 full-time student. For common schools, a part-time student is a student
22 enrolled for less than the total time for a full-time student as defined in
23 this section. A part-time common school student shall be counted as
24 one-fourth, one-half or three-fourths of a full-time student if the student
25 is enrolled in an instructional program that is at least one-fourth, one-half
26 or three-fourths of the time a full-time student is enrolled as defined in
27 subdivision (b) of this paragraph.

28 (ii) For high schools, a part-time student who is enrolled in less
29 than four subjects that count toward graduation as defined by the state board
30 of education in a recognized high school and who is taught in less than
31 twenty instructional hours per week prorated for any week with fewer than
32 five school days. A part-time high school student shall be counted as

1 one-fourth, one-half or three-fourths of a full-time student if the student
2 is enrolled in an instructional program that is at least one-fourth, one-half
3 or three-fourths of a full-time instructional program as defined in
4 subdivision (c) of this paragraph.

5 (b) "Full-time student" means:

6 (i) For common schools, a student who is at least six years of age
7 prior to January 1 of a school year, who has not graduated from the highest
8 grade taught in the school district and who is regularly enrolled in a course
9 of study required by the state board of education. Until fiscal year
10 2001-2002, first, second and third grade students, ungraded students at least
11 six, but under nine, years of age by September 1 or ungraded group B children
12 with disabilities who are at least five, but under six, years of age by
13 September 1 must be enrolled in an instructional program that meets for a
14 total of at least six hundred ninety-two hours during the minimum number of
15 days required in a school year as provided in section 15-341. In fiscal year
16 2001-2002, the program shall meet at least six hundred ninety-six hours. In
17 fiscal year 2002-2003, the program shall meet at least seven hundred hours.
18 In fiscal year 2003-2004, the program shall meet at least seven hundred four
19 hours. In fiscal year 2004-2005, the program shall meet at least seven
20 hundred eight hours. In fiscal year 2005-2006 and in each fiscal year
21 thereafter, the program shall meet at least seven hundred twelve hours.
22 Until fiscal year 2001-2002, fourth, fifth and sixth grade students or
23 ungraded students at least nine, but under twelve, years of age by September
24 1 must be enrolled in an instructional program that meets for a total of at
25 least eight hundred sixty-five hours during the minimum number of school days
26 required in a school year as provided in section 15-341. In fiscal year
27 2001-2002, the program shall meet at least eight hundred seventy hours. In
28 fiscal year 2002-2003, the program shall meet at least eight hundred
29 seventy-five hours. In fiscal year 2003-2004, the program shall meet at least
30 eight hundred eighty hours. In fiscal year 2004-2005, the program shall meet
31 at least eight hundred eighty-five hours. In fiscal year 2005-2006 and each
32 fiscal year thereafter, the program shall meet at least eight hundred ninety

1 hours. Until fiscal year 2001-2002, seventh and eighth grade students or
2 ungraded students at least twelve, but under fourteen, years of age by
3 September 1 must be enrolled in an instructional program that meets for a
4 total of at least one thousand thirty-eight hours during the minimum number
5 of days required in a school year as provided in section 15-341. In fiscal
6 year 2001-2002, the program shall meet at least one thousand forty-four
7 hours. In fiscal year 2002-2003, the program shall meet at least one
8 thousand fifty hours. In fiscal year 2003-2004, the program shall meet at
9 least one thousand fifty-six hours. In fiscal year 2004-2005, the program
10 shall meet at least one thousand sixty-two hours. In fiscal year 2005-2006
11 and each fiscal year thereafter, the program shall meet at least one thousand
12 sixty-eight hours. Lunch periods and recess periods may not be included as
13 part of the instructional hours unless the student is a child with a
14 disability and the child's individualized education program requires
15 instruction during those periods and the specific reasons for such
16 instruction are fully documented.

17 (ii) For high schools, except as provided in section 15-105, a student
18 not graduated from the highest grade taught in the school district, or an
19 ungraded student at least fourteen years of age by September 1, and enrolled
20 in at least a full-time instructional program of subjects that count toward
21 graduation as defined by the state board of education in a recognized high
22 school. A full-time student shall not be counted more than once for
23 computation of average daily membership.

24 (iii) For homebound or hospitalized, a student receiving at least four
25 hours of instruction per week.

26 (c) "Full-time instructional program" means:

27 (i) Through fiscal year 2000-2001, at least four subjects, each of
28 which, if taught each school day for the minimum number of days required in a
29 school year, would meet a minimum of one hundred twenty hours a year, or the
30 equivalent, or one or more subjects taught in amounts of time totaling at
31 least twenty hours per week prorated for any week with fewer than five school
32 days.

1 (ii) For fiscal year 2001-2002, an instructional program that meets at
2 least a total of seven hundred four hours during the minimum number of days
3 required and includes at least four subjects each of which, if taught each
4 school day for the minimum number of days required in a school year, would
5 meet a minimum of one hundred twenty-two hours a year, or the equivalent, or
6 one or more subjects taught in amounts of time totaling at least twenty hours
7 per week prorated for any week with fewer than five school days.

8 (iii) For fiscal year 2002-2003, an instructional program that meets
9 at least a total of seven hundred eight hours during the minimum number of
10 days required and includes at least four subjects each of which, if taught
11 each school day for the minimum number of days required in a school year,
12 would meet a minimum of one hundred twenty-two hours a year, or the
13 equivalent, or one or more subjects taught in amounts of time totaling at
14 least twenty hours per week prorated for any week with fewer than five school
15 days.

16 (iv) For fiscal year 2003-2004, an instructional program that meets at
17 least a total of seven hundred twelve hours during the minimum number of days
18 required and includes at least four subjects each of which, if taught each
19 school day for the minimum number of days required in a school year, would
20 meet a minimum of one hundred twenty-three hours a year, or the equivalent,
21 or one or more subjects taught in amounts of time totaling at least twenty
22 hours per week prorated for any week with fewer than five school days.

23 (v) For fiscal year 2004-2005, an instructional program that meets at
24 least a total of seven hundred sixteen hours during the minimum number of
25 days required and includes at least four subjects each of which, if taught
26 each school day for the minimum number of days required in a school year,
27 would meet a minimum of one hundred twenty-three hours a year, or the
28 equivalent, or one or more subjects taught in amounts of time totaling at
29 least twenty hours per week prorated for any week with fewer than five school
30 days.

31 (vi) For fiscal year 2005-2006 and each fiscal year thereafter, an
32 instructional program that meets at least a total of seven hundred twenty

1 hours during the minimum number of days required and includes at least four
2 subjects each of which, if taught each school day for the minimum number of
3 days required in a school year, would meet a minimum of one hundred
4 twenty-three hours a year, or the equivalent, or one or more subjects taught
5 in amounts of time totaling at least twenty hours per week prorated for any
6 week with fewer than five school days.

7 3. "Budget year" means the fiscal year for which the school district
8 is budgeting and which immediately follows the current year.

9 4. "Common school district" means a political subdivision of this
10 state offering instruction to students in programs for preschool children
11 with disabilities and kindergarten programs and grades one through eight.

12 5. "Current year" means the fiscal year in which a school district is
13 operating.

14 6. "Daily attendance" means:

15 (a) For common schools, days in which a pupil:

16 (i) Of a kindergarten program or ungraded, but not group B children
17 with disabilities, and at least five, but under six, years of age by
18 September 1 attends at least three-quarters of the instructional time
19 scheduled for the day. If the total instruction time scheduled for the year
20 is at least three hundred forty-six hours but is less than six hundred
21 ninety-two hours such attendance shall be counted as one-half day of
22 attendance. If the instructional time scheduled for the year is at least six
23 hundred ninety-two hours, "daily attendance" means days in which a pupil
24 attends at least one-half of the instructional time scheduled for the
25 day. Such attendance shall be counted as one-half day of attendance.

26 (ii) Of the first, second or third grades, ungraded and at least six,
27 but under nine, years of age by September 1 or ungraded group B children with
28 disabilities and at least five, but under six, years of age by September 1
29 attends more than three-quarters of the instructional time scheduled for the
30 day.

31 (iii) Of the fourth, fifth or sixth grades or ungraded and at least
32 nine, but under twelve, years of age by September 1 attends more than

1 three-quarters of the instructional time scheduled for the day, except as
2 provided in section 15-797.

3 (iv) Of the seventh or eighth grades or ungraded and at least twelve,
4 but under fourteen, years of age by September 1 attends more than
5 three-quarters of the instructional time scheduled for the day, except as
6 provided in section 15-797.

7 (b) For common schools, the attendance of a pupil at three-quarters or
8 less of the instructional time scheduled for the day shall be counted as
9 follows, except as provided in section 15-797 and except that attendance for
10 a fractional student shall not exceed the pupil's fractional membership:

11 (i) If attendance for all pupils in the school is based on quarter
12 days, the attendance of a pupil shall be counted as one-fourth of a day's
13 attendance for each one-fourth of full-time instructional time attended.

14 (ii) If attendance for all pupils in the school is based on half days,
15 the attendance of at least three-quarters of the instructional time scheduled
16 for the day shall be counted as a full day's attendance and attendance at a
17 minimum of one-half but less than three-quarters of the instructional time
18 scheduled for the day equals one-half day of attendance.

19 (c) For common schools, the attendance of a preschool child with
20 disabilities shall be counted as one-fourth day's attendance for each
21 thirty-six minutes of attendance not including lunch periods and recess
22 periods, except as provided in paragraph 2, subdivision (a), item (i) of this
23 subsection for children with disabilities up to a maximum of three hundred
24 sixty minutes each week.

25 (d) For high schools or ungraded schools in which the pupil is at
26 least fourteen years of age by September 1, the attendance of a pupil shall
27 not be counted as a full day unless the pupil is actually and physically in
28 attendance and enrolled in and carrying four subjects, each of which, if
29 taught each school day for the minimum number of days required in a school
30 year, would meet a minimum of one hundred twenty hours a year, or the
31 equivalent, that count toward graduation in a recognized high school except
32 as provided in section 15-797 and subdivision (e) of this paragraph.

1 Attendance of a pupil carrying less than the load prescribed shall be
2 prorated.

3 (e) For high schools or ungraded schools in which the pupil is at
4 least fourteen years of age by September 1, the attendance of a pupil may be
5 counted as one-fourth of a day's attendance for each sixty minutes of
6 instructional time in a subject that counts toward graduation, except that
7 attendance for a pupil shall not exceed the pupil's full or fractional
8 membership.

9 (f) For homebound or hospitalized, a full day of attendance may be
10 counted for each day during a week in which the student receives at least
11 four hours of instruction.

12 (g) For school districts which maintain school for an approved
13 year-round school year operation, attendance shall be based on a computation,
14 as prescribed by the superintendent of public instruction, of the one hundred
15 eighty days' equivalency or two hundred days' equivalency, as applicable, of
16 instructional time as approved by the superintendent of public instruction
17 during which each pupil is enrolled.

18 7. "Daily route mileage" means the sum of:

19 (a) The total number of miles driven daily by all buses of a school
20 district while transporting eligible students from their residence to the
21 school of attendance and from the school of attendance to their residence on
22 scheduled routes approved by the superintendent of public instruction **OR THE**
23 **TOTAL ALLOWABLE NUMBER OF MILES PURSUANT TO SECTION 15-816.01.**

24 (b) The total number of miles driven daily on routes approved by the
25 superintendent of public instruction for which a private party, a political
26 subdivision or a common or a contract carrier is reimbursed for bringing an
27 eligible student from the place of his residence to a school transportation
28 pickup point or to the school of attendance and from the school
29 transportation scheduled return point or from the school of attendance to his
30 residence. Daily route mileage includes the total number of miles necessary
31 to drive to transport eligible students from and to their residence as

1 provided in this paragraph OR THE TOTAL ALLOWABLE NUMBER OF MILES PURSUANT TO
2 SECTION 15-816.01.

3 8. "District support level" means the base support level plus the
4 transportation support level.

5 9. "Eligible students" means:

6 (a) Students who are transported by or for a school district and who
7 qualify as full-time students or fractional students, except students for
8 whom transportation is paid by another school district or a county school
9 superintendent, and:

10 (i) For common school students, whose place of actual residence within
11 the school district is more than one mile from the school facility of
12 attendance or students who are admitted pursuant to section 15-816.01 ~~and who~~
13 ~~meet the economic eligibility requirements established under the national~~
14 ~~school lunch and child nutrition acts (42 United States Code sections 1751~~
15 ~~through 1785) for free or reduced price lunches and whose actual place of~~
16 ~~residence outside the school district boundaries is more than one mile from~~
17 ~~the school facility of attendance.~~

18 (ii) For high school students, whose place of actual residence within
19 the school district is more than one and one-half miles from the school
20 facility of attendance or students who are admitted pursuant to section
21 15-816.01 ~~and who meet the economic eligibility requirements established~~
22 ~~under the national school lunch and child nutrition acts (42 United States~~
23 ~~Code sections 1751 through 1785) for free or reduced price lunches and whose~~
24 ~~actual place of residence outside the school district boundaries is more than~~
25 ~~one and one half miles from the school facility of attendance.~~

26 (b) Kindergarten students, for purposes of computing the number of
27 eligible students under subdivision (a), item (i) of this paragraph, shall be
28 counted as full-time students, notwithstanding any other provision of law.

29 (c) Children with disabilities, as defined by section 15-761, who are
30 transported by or for the school district or who are admitted pursuant to
31 chapter 8, article 1.1 of this title and who qualify as full-time students or
32 fractional students regardless of location or residence within the school

1 district or children with disabilities whose transportation is required by
2 the pupil's individualized education program.

3 (d) Students whose residence is outside the school district and who
4 are transported within the school district on the same basis as students who
5 reside in the school district.

6 10. "Enrolled" or "enrollment" means when a pupil is currently
7 registered in the school district.

8 11. "GDP price deflator" means the average of the four implicit price
9 deflators for the gross domestic product reported by the United States
10 department of commerce for the four quarters of the calendar year.

11 12. "High school district" means a political subdivision of this state
12 offering instruction to students for grades nine through twelve or that
13 portion of the budget of a common school district which is allocated to
14 teaching high school subjects with permission of the state board of
15 education.

16 13. "Revenue control limit" means the base revenue control limit plus
17 the transportation revenue control limit.

18 14. "Student count" means average daily membership as prescribed in
19 this subsection for the fiscal year prior to the current year, except that
20 for the purpose of budget preparation student count means average daily
21 membership as prescribed in this subsection for the current year.

22 15. "Submit electronically" means submitted in a format and in a manner
23 prescribed by the department of education.

24 16. "Total bus mileage" means the total number of miles driven by all
25 buses of a school district during the school year.

26 17. "Total students transported" means all eligible students
27 transported from their place of residence to a school transportation pickup
28 point or to the school of attendance and from the school of attendance or
29 from the school transportation scheduled return point to their place of
30 residence.

1 18. "Unified school district" means a political subdivision of the
2 state offering instruction to students in programs for preschool children
3 with disabilities and kindergarten programs and grades one through twelve.

4 B. In this title, unless the context otherwise requires:

5 1. "Base" means the revenue level per student count specified by the
6 legislature.

7 2. "Base level" means:

8 (a) For fiscal year 2006-2007, three thousand one hundred thirty-three
9 dollars fifty-three cents.

10 (b) For fiscal year 2007-2008, three thousand two hundred twenty-six
11 dollars eighty-eight cents.

12 3. "Base revenue control limit" means the base revenue control limit
13 computed as provided in section 15-944.

14 4. "Base support level" means the base support level as provided in
15 section 15-943.

16 5. "Certified teacher" means a person who is certified as a teacher
17 pursuant to the rules adopted by the state board of education, who renders
18 direct and personal services to school children in the form of instruction
19 related to the school district's educational course of study and who is paid
20 from the maintenance and operation section of the budget.

21 6. "ED, MIMR, SLD, SLI and OHI" means programs for children with
22 emotional disabilities, mild mental retardation, a specific learning
23 disability, a speech/language impairment and other health impairments.

24 7. "ED-P" means programs for children with emotional disabilities who
25 are enrolled in private special education programs as prescribed in section
26 15-765, subsection D, paragraph 1 or in an intensive school district program
27 as provided in section 15-765, subsection D, paragraph 2.

28 8. "ELL" means English learners who do not speak English or whose
29 native language is not English, who are not currently able to perform
30 ordinary classroom work in English and who are enrolled in an English
31 language education program pursuant to sections 15-751, 15-752 and 15-753.

1 9. "Full-time equivalent certified teacher" or "FTE certified teacher"
2 means for a certified teacher the following:

3 (a) If employed full time as defined in section 15-501, 1.00.

4 (b) If employed less than full time, multiply 1.00 by the percentage
5 of a full school day, or its equivalent, or a full class load, or its
6 equivalent, for which the teacher is employed as determined by the governing
7 board.

8 10. "Group A" means educational programs for career exploration, a
9 specific learning disability, an emotional disability, mild mental
10 retardation, remedial education, a speech/language impairment, homebound,
11 bilingual, preschool moderate delay, preschool speech/language delay, other
12 health impairments and gifted pupils.

13 11. "Group B" means educational improvements for pupils in kindergarten
14 programs and grades one through three, educational programs for autism, a
15 hearing impairment, moderate mental retardation, multiple disabilities,
16 multiple disabilities with severe sensory impairment, orthopedic impairments,
17 preschool severe delay, severe mental retardation and emotional disabilities
18 for school age pupils enrolled in private special education programs or in
19 school district programs for children with severe disabilities or visual
20 impairment and English learners enrolled in a program to promote English
21 language proficiency pursuant to section 15-752.

22 12. "HI" means programs for pupils with hearing impairment.

23 13. "Homebound" or "hospitalized" means a pupil who is capable of
24 profiting from academic instruction but is unable to attend school due to
25 illness, disease, accident or other health conditions, who has been examined
26 by a competent medical doctor and who is certified by that doctor as being
27 unable to attend regular classes for a period of not less than three school
28 months or a pupil who is capable of profiting from academic instruction but
29 is unable to attend school regularly due to chronic or acute health problems,
30 who has been examined by a competent medical doctor and who is certified by
31 that doctor as being unable to attend regular classes for intermittent
32 periods of time totaling three school months during a school year. The

1 medical certification shall state the general medical condition, such as
2 illness, disease or chronic health condition, that is the reason that the
3 pupil is unable to attend school. Homebound or hospitalized includes a
4 student who is unable to attend school for a period of less than three months
5 due to a pregnancy if a competent medical doctor, after an examination,
6 certifies that the student is unable to attend regular classes due to risk to
7 the pregnancy or to the student's health.

8 14. "K" means kindergarten programs.

9 15. "K-3" means kindergarten programs and grades one through three.

10 16. "MD-R, A-R and SMR-R" means resource programs for pupils with
11 multiple disabilities, autism and severe mental retardation.

12 17. "MD-SC, A-SC and SMR-SC" means self-contained programs for pupils
13 with multiple disabilities, autism and severe mental retardation.

14 18. "MDSSI" means a program for pupils with multiple disabilities with
15 severe sensory impairment.

16 19. "MOMR" means programs for pupils with moderate mental retardation.

17 20. "OI-R" means a resource program for pupils with orthopedic
18 impairments.

19 21. "OI-SC" means a self-contained program for pupils with orthopedic
20 impairments.

21 22. "PSD" means preschool programs for children with disabilities as
22 provided in section 15-771.

23 23. "P-SD" means programs for children who meet the definition of
24 preschool severe delay as provided in section 15-771.

25 24. "Qualifying tax rate" means the qualifying tax rate specified in
26 section 15-971 applied to the assessed valuation used for primary property
27 taxes.

28 25. "Small isolated school district" means a school district which
29 meets all of the following:

30 (a) Has a student count of fewer than six hundred in kindergarten
31 programs and grades one through eight or grades nine through twelve.

1 (b) Contains no school which is fewer than thirty miles by the most
2 reasonable route from another school, or, if road conditions and terrain make
3 the driving slow or hazardous, fifteen miles from another school which
4 teaches one or more of the same grades and is operated by another school
5 district in this state.

6 (c) Is designated as a small isolated school district by the
7 superintendent of public instruction.

8 26. "Small school district" means a school district which meets all of
9 the following:

10 (a) Has a student count of fewer than six hundred in kindergarten
11 programs and grades one through eight or grades nine through twelve.

12 (b) Contains at least one school which is fewer than thirty miles by
13 the most reasonable route from another school which teaches one or more of
14 the same grades and is operated by another school district in this state.

15 (c) Is designated as a small school district by the superintendent of
16 public instruction.

17 27. "Transportation revenue control limit" means the transportation
18 revenue control limit computed as prescribed in section 15-946.

19 28. "Transportation support level" means the support level for pupil
20 transportation operating expenses as provided in section 15-945.

21 29. "VI" means programs for pupils with visual impairments.

22 30. "Voc. Ed." means career and technical education and vocational
23 education programs, as defined in section 15-781.

24 Sec. 3. Section 15-923, Arizona Revised Statutes, is amended to read:

25 15-923. Contracts for transportation

26 A. As an alternative to maintaining and operating a transportation
27 program or in conjunction with a transportation program, a school district
28 may, if it is found to be economically advantageous, contract for
29 transportation. Contracts may be with another political subdivision, ~~OR~~ a
30 common or contract carrier ~~or a private party~~ OR AS PROVIDED IN SUBSECTION E
31 OF THIS SECTION.

1 B. In addition to other powers and duties prescribed by title 11,
2 chapter 2, article 4, any board of supervisors may at the request of any or
3 all of the governing boards of the school districts within the county provide
4 necessary student transportation. If the board of supervisors and the
5 governing board or boards of such school districts mutually agree that such
6 an arrangement is economically advantageous, the governing board of the
7 school district is authorized to sell or lease its bus or buses to the board
8 of supervisors for such purposes. Agreement between the parties shall be by
9 written contract.

10 C. In no event shall an eligible student who is transported part by
11 contract and part by school district transportation facilities be counted as
12 more than one eligible student.

13 D. Each school district shall submit electronically to the department
14 of education the routes contracted, the contractor contract information, the
15 number of eligible students transported by each contractor and any additional
16 information requested by the department of education.

17 E. A SCHOOL DISTRICT MAY CONTRACT WITH THE PARENT OF A PUPIL TO
18 PROVIDE TRANSPORTATION IN PRIVATELY OPERATED VEHICLES, OR A PARENT WHO MAKES
19 ARRANGEMENTS WITH OTHER PRIVATE PERSONS TO PROVIDE TRANSPORTATION IN
20 PRIVATELY OPERATED VEHICLES, TO AND FROM SCHOOL FOR THE PARENT'S OWN
21 CHILDREN. A SCHOOL DISTRICT SHALL REIMBURSE A PARENT PURSUANT TO THIS SECTION
22 FOR THE MILES IN WHICH THE PUPIL IS IN THE VEHICLE IN AN AMOUNT NOT TO EXCEED
23 THE PER MILE AMOUNT SET BY THE DEPARTMENT OF ADMINISTRATION FOR STATE TRAVEL
24 FOR MOTOR VEHICLES PURSUANT TO SECTION 38-623.

25 Sec. 4. Section 15-945, Arizona Revised Statutes, is amended to read:
26 15-945. Transportation support level

27 A. The support level for to and from school for each school district
28 for the current year shall be computed as follows:

29 1. Determine the approved daily route mileage of the school district
30 for the fiscal year prior to the current year. THE MILEAGE ATTRIBUTABLE TO A
31 PARENT WHO PROVIDES TRANSPORTATION FOR THE PARENT'S OWN CHILDREN PURSUANT TO

SECTION 15-816.01 OR SECTION 15-923 SHALL NOT BE COUNTED AS APPROVED DAILY ROUTE MILEAGE.

2. Multiply the figure obtained in paragraph 1 of this subsection by one hundred eighty.

3. Determine the number of eligible students transported in the fiscal year prior to the current year.

4. Divide the amount determined in paragraph 1 of this subsection by the amount determined in paragraph 3 of this subsection to determine the approved daily route mileage per eligible student transported.

5. Determine the classification in column 1 of this paragraph for the quotient determined in paragraph 4 of this subsection. Multiply the product obtained in paragraph 2 of this subsection by the corresponding state support level for each route mile as provided in column 2 of this paragraph.

<u>Column 1</u>	<u>Column 2</u>
Approved Daily Route Mileage per Eligible Student Transported	State Support Level per Route Mile for Fiscal Year 2007-2008
0.5 or less	\$2.23
More than 0.5 through 1.0	\$1.81
More than 1.0	\$2.23

6. Add the amount spent during the prior fiscal year for bus tokens and bus passes for students who qualify as eligible students as defined in section 15-901.

7. ADD THE AMOUNT SPENT DURING THE PRIOR FISCAL YEAR FOR REIMBURSEMENTS PROVIDED TO A PARENT WHO PROVIDES TRANSPORTATION IN PRIVATELY OPERATED VEHICLES, OR WHO MAKES ARRANGEMENTS WITH OTHER PRIVATE PERSONS TO PROVIDE TRANSPORTATION IN PRIVATELY OPERATED VEHICLES, TO AND FROM SCHOOL FOR THE PARENT'S OWN CHILDREN, PURSUANT TO SECTION 15-923, SUBSECTION E.

B. The support level for academic education, career and technical education, vocational education and athletic trips for each school district for the current year is computed as follows:

1. Determine the classification in column 1 of paragraph 2 of this subsection for the quotient determined in subsection A, paragraph 4 of this section.

2. Multiply the product obtained in subsection A, paragraph 5 of this section by the corresponding state support level for academic education, career and technical education, vocational education and athletic trips as provided in column 2, 3 or 4 of this paragraph, whichever is appropriate for the type of district.

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
Approved Daily Route			
Mileage per Eligible	District Type	District Type	District Type
<u>Student Transported</u>	<u>02 or 03</u>	<u>04</u>	<u>05</u>
0.5 or less	0.15	0.10	0.25
More than 0.5 through 1.0	0.15	0.10	0.25
More than 1.0	0.18	0.12	0.30

For the purposes of this paragraph, "district type 02" means a unified school district or an accommodation school that offers instruction in grades nine through twelve, "district type 03" means a common school district not within a high school district, "district type 04" means a common school district within a high school district or an accommodation school that does not offer instruction in grades nine through twelve and "district type 05" means a high school district.

C. The support level for extended school year services for pupils with disabilities is computed as follows:

1. Determine the sum of the following:

(a) The total number of miles driven by all buses of a school district while transporting eligible pupils with disabilities on scheduled routes from their residence to the school of attendance and from the school of attendance to their residence on routes for extended school year services in accordance with section 15-881.

(b) The total number of miles driven on routes approved by the superintendent of public instruction for which a private party, a political

1 subdivision or a common or a contract carrier is reimbursed for bringing an
2 eligible pupil with a disability from the place of the pupil's residence to a
3 school transportation pickup point or to the school facility of attendance
4 and from the school transportation scheduled return point or from the school
5 facility to the pupil's residence for extended school year services in
6 accordance with section 15-881.

7 2. Multiply the sum determined in paragraph 1 of this subsection by
8 the state support level for the district determined as provided in subsection
9 A, paragraph 5 of this section.

10 D. The transportation support level for each school district for the
11 current year is the sum of the support level for to and from school as
12 determined in subsection A of this section, the support level for academic
13 education, career and technical education, vocational education and athletic
14 trips as determined in subsection B of this section and the support level for
15 extended school year services for pupils with disabilities as determined in
16 subsection C of this section.

17 E. The state support level for each approved route mile, as provided
18 in subsection A, paragraph 5 of this section, shall be adjusted by the growth
19 rate prescribed by law, subject to appropriation.

20 Sec. 5. Section 15-946, Arizona Revised Statutes, is amended to read:

21 15-946. Transportation revenue control limit

22 A. The transportation revenue control limit for each school district
23 for the fiscal years 1985-1986, 1986-1987 and 1987-1988 is computed as
24 follows:

25 1. Determine the adopted operational expenditure budget for pupil
26 transportation for the fiscal year 1984-1985 effective January 1, 1985.

27 2. Determine the transportation revenue control limit for the school
28 district for the fiscal year 1984-1985 as provided in this section before
29 April 18, 1985.

30 3. If the school district's transportation revenue control limit for
31 the fiscal year 1984-1985 as provided in paragraph 2 of this subsection is
32 equal to or greater than the amount determined in paragraph 1 of this

subsection, the transportation revenue control limit for the fiscal year 1985-1986 is the change in the transportation support level from the fiscal year 1984-1985 to the fiscal year 1985-1986 plus the transportation revenue control limit for the fiscal year 1984-1985 as provided in paragraph 2 of this subsection. For the fiscal years 1986-1987 and 1987-1988 the transportation revenue control limit is the transportation revenue control limit for the current year plus the change in the transportation support level for the current year to the budget year.

4. If the school district's transportation revenue control limit for the fiscal year 1984-1985 as provided in paragraph 2 of this subsection is less than the amount determined in paragraph 1 of this subsection, the transportation revenue control limit for the fiscal year 1985-1986 is the sum of the following:

(a) The transportation revenue control limit for the school district for the fiscal year 1984-1985 as provided in paragraph 2 of this subsection.

(b) The change in the transportation support level from the fiscal year 1984-1985 to the fiscal year 1985-1986.

(c) One-third of the amount obtained by subtracting the transportation revenue control limit for fiscal year 1984-1985 as provided in paragraph 2 of this subsection from the amount determined in paragraph 1 of this subsection.

5. If the transportation revenue control limit of the school district for the fiscal year 1984-1985 as provided in paragraph 2 of this subsection is less than the amount determined in paragraph 1 of this subsection, the transportation revenue control limit for the fiscal years 1986-1987 and 1987-1988 is the sum of the following:

(a) The transportation revenue control limit for the current year.

(b) The change in the transportation support level from the current year to the budget year.

(c) One-third of the amount obtained by subtracting the transportation revenue control limit for the fiscal year 1984-1985 as provided in paragraph 2 of this subsection from the amount determined in paragraph 1 of this subsection.

1 B. The transportation revenue control limit for each school district
2 for the fiscal year 1988-1989 and each year thereafter shall be the
3 transportation revenue control limit for the current year ~~plus the increase~~
4 ~~in~~ ADJUSTED FOR THE CHANGE IN the transportation support level from the
5 current year to the budget year, except that for fiscal year 2006-2007 and
6 for each fiscal year thereafter, the transportation revenue control limit
7 shall not increase if the transportation revenue control limit is more than
8 one hundred twenty per cent of the transportation support level. For a
9 school district that sponsors a charter school, its transportation revenue
10 control limit for the budget year shall be calculated as follows:

11 1. Calculate separately, as prescribed by the department of education,
12 the total transportation support level for the current year for all charter
13 schools under the district's sponsorship in the current year.

14 2. Calculate separately, as prescribed by the department of education,
15 the total transportation support level for the budget year for all charter
16 schools under the district's sponsorship in the budget year.

17 3. Subtract the amount determined in paragraph 2 of this subsection
18 from the amount determined in paragraph 1 of this subsection. If the result
19 is zero or less, use zero in paragraph 4 of this subsection.

20 4. Subtract the amount determined in paragraph 3 of this subsection
21 from the district's transportation revenue control limit for the current
22 year. This is the adjusted transportation revenue control limit for the
23 current year.

24 5. The transportation revenue control limit for the budget year is the
25 adjusted transportation revenue control limit for the current year determined
26 in paragraph 4 of this subsection plus the increase in the transportation
27 support level from the current year to the budget year.

28 C. Notwithstanding subsection B, if the transportation support level
29 of a school district exceeds the transportation revenue control limit in any
30 budget year, the transportation revenue control limit shall be adjusted in
31 that budget year and every budget year thereafter to equal the transportation
32 support level.”

Senate Amendments to S.B. 1047

- 1 Amend title to conform

LINDA GRAY

2/25/08
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